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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/612,440	07/07/2000	Timothy Merrick Long	169.1763	7048

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EXAMINER	
BLACKMAN, ANTHONY J	

ART UNIT	PAPER NUMBER
2676	16

DATE MAILED: 12/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/612,440	LONG, TIMOTHY MERRICK	
	Examiner	Art Unit	
	ANTHONY J BLACKMAN	2676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 November 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,7,11,17 and 21-28* is/are rejected.

7)☐ Claim(s) *2-6,12-16 and 18-20* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 11/20/03 have been fully considered but they are not persuasive. Examiner respectfully disagrees with applicants interpretation of BOLLMAN et al, US Patent No. 6,141,012 as the modifying reference to MARGULIS, US Patent No. 6,456,340. BOLLMAN et al. Applicant has amended claims substantially, whereby the meta-data elements teach a manner of retention, wherein the retention of the meta-data elements are dependent upon the configuration of the meta-data elements. The amended claim limitations are at least suggested by BOLLMAN et al in describing Structured Image technology (SI) explained below by SI definition and structure followed by examples of the manner of retention as claimed (column 2, lines 9-11, 15-26, 48-column 3, lines 3, 27-30, column 13, line 44-column 14, line 34, column 15, lines 22-59 and column 17, lines 23-55).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 7, 11, 17 and 21-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over MARGULIS, US Patent No. 6,456,340 in view of BOLLMAN et al, US Patent No. 6,141,012.

4. As per claim 1, claims 21 and 25 are apparatus and computer-readable medium claims, respectively, that substantially correspond to claim 1. Examiner interprets MARGULIS to at least suggest a method of augmenting meta-data associated with a digital image (figure 4, element 404/processor, figure 5, element 404, figure 11, element 1108 column 5, lines 18-22, column 11, lines 2-18, column 13, lines 8-14, column 16, line 38 to column 17, line 32 and column 26, lines 26-45), wherein the meta-data comprises at least one meta-data element (figure 4, element 404, figure 5, element 404, figure 11, element 1108 column 5, lines 18-22, column 11, lines 2-18, column 13, lines 8-14, column 16, line 38 to column 17, line 32 and column 26, lines 26-45), further MARGULIS teach a tag combined with/added to a meta-data and combining more than one image (figure 4, element 404, figure 5, element 404, figure 11, element 1108 column 5, lines 18-22, column 11, lines 2-18, column 13, lines 8-14, column 16, line 38 to column 17, line 32 and column 26, lines 26-45), and although MARGULIS teach analog, digital compressed bitstream and coded bitstream display images where "...object information is specially coded information in a bitstream (column 5, lines 51-54), and a geometric transformation that includes a layered coding video bitstream (column 11, lines 19-26)", and an enhanced decoding operation of Image Reconstruction 38 or IR 38/processor, MARGULIS does not expressly teach a self-describing attribute tag nor the retention means/manner of retention of the meta-data

element, wherein the retention of the meta-data element is dependent upon the configuration of the meta-data elements. However, BOLLMAN et al provides the suggestion for the elements lacking in MARGULIS: a self-describing attribute tag added to a meta-data element (column 3, lines 41-47, column 2, lines 9-11, 15-26, 48-column 3, line 3, 27-30, column 13, line 44-column 14, line 34, column 15, line 22-59 and column 17, lines 23-55), wherein each attribute tag added to a meta-data element describes a manner of retention of the meta-data element from another digital element are to be retained (column 2, lines 9-11, 15-26, 48-column 3, line 3, 27-30, column 13, line 44-column 14, line 34, column 15, line 22-59 and column 17, lines 23-55), in a case where the two images are combined (column 2, lines 9-11, 15-26, 48-column 3, line 3, 27-30, column 13, line 44-column 14, line 34, column 15, line 22-59 and column 17, lines 23-55), wherein the retention of the meta-data element is dependent upon the configuration of the meta-data elements (column 2, lines 9-11, 15-26, 48-column 3, line 3, 27-30, column 13, line 44-column 14, line 34, column 15, line 22-59 and column 17, lines 23-55). Therefore, it would have been obvious to one skilled in the art at the time of the invention to utilize the image processing code generation based on Structured Image (SI) techniques, including code modification activities (abstract, lines 18-22) of BOLLMAN et al to modify the image transforms in a digital display system and geometric transmission of MARGULIS because both inventions share similar technological environments related to addressing object acquisition, storage, edit/preparation and delivery/transmit to output rendering (BOLLMAN et al, column 1,

lines 53-56). Therefore, it would have been obvious to modify MARGULIS by BOLLMAN et al.

5. As per claim 7, claims 22 and 26 are apparatus and computer-readable medium claims, respectively, that substantially correspond to claim 7. Examiner interprets MARGULIS to at least suggest a method of augmenting meta-data associated with a digital image (figure 4, element 404/processor, figure 5, element 404, figure 11, element 1108 column 5, lines 18-22, column 11, lines 2-18, column 13, lines 8-14, column 16, line 38 to column 17, line 32 and column 26, lines 26-45), wherein the meta-data comprises at least one meta-data element (figure 4, element 404, figure 5, element 404, figure 11, element 1108 column 5, lines 18-22, column 11, lines 2-18, column 13, lines 8-14, column 16, line 38 to column 17, line 32 and column 26, lines 26-45), further MARGULIS teach a tag combined with/added to a meta-data and combining more than one image (figure 4, element 404/processor, figure 5, element 404, figure 11, element 1108 column 5, lines 18-22, column 11, lines 2-18, column 13, lines 8-14, column 16, line 38 to column 17, line 32 and column 26, lines 26-45), and although MARGULIS teach analog, digital compressed bitstream and coded bitstream display images where "...object information is specially coded information in a bitstream (column 5, lines 51 54), and a geometric transformation that includes a layered coding video bitstream (column 11, lines 19-26)", and an enhanced decoding operation of Image Reconstruction 38 or IR 38/processor, MARGULIS does not expressly teach; a self-describing attribute tag, the retention means/manner of retention of the meta-data element, wherein the retention of the meta-data element is dependent upon the

configuration of the meta-data elements. However, BOLLMAN et al provides the suggestion for the elements lacking in MARGULIS: a self-describing attribute tag added to a meta-data element (column 3, lines 41-47, column 2, lines 9-11, 15-26, 48-column 3, line 3, 27-30, column 13, line 44-column 14, line 34, column 15, line 22-59 and column 17, lines 23-55), wherein each attribute tag added to a meta-data element describes a manner of retention of the meta-data element from another digital element are to be retained (column 2, lines 9-11, 15-26, 48-column 3, line 3, 27-30, column 13, line 44-column 14, line 34, column 15, line 22-59 and column 17, lines 23-55), in a case where the two images are combined (column 2, lines 9-11, 15-26, 48-column 3, line 3, 27-30, column 13, line 44-column 14, line 34, column 15, line 22-59 and column 17, lines 23-55), wherein the retention of the meta-data element is dependent upon the configuration of the meta-data elements (column 2, lines 9-11, 15-26, 48-column 3, line 3, 27-30, column 13, line 44-column 14, line 34, column 15, line 22-59 and column 17, lines 23-55). Therefore, it would have been obvious to one skilled in the art at the time of the invention to utilize the image processing code generation based on Structured Image (SI) techniques, including code modification activities (abstract, lines 18-22) of BOLLMAN et al to modify the image transforms in a digital display system and geometric transmission of MARGULIS because both inventions share similar technological environments related to addressing object acquisition, storage, edit/preparation and delivery/transmit to output rendering (BOLLMAN et al, column 1, lines 53-56). Therefore, it would have been obvious to modify MARGULIS by BOLLMAN et al.

6. As per claim 11, claims 23 and 27 are apparatus and computer-readable medium claims, respectively, that substantially correspond to claim 11. Examiner interprets MARGULIS to at least suggest a method of combining meta-data associated with a plurality of images (figure 4, element 404/processor, figure 5, element 404, figure 11, element 1108 column 5, lines 18-22, column 11, lines 2-18, column 13, lines 8-14, column 16, line 38 to column 17, line 32 and column 26, lines 26-45), wherein the meta-data comprises at least one corresponding meta-data element (figure 4, element 404/processor, figure 5, element 404, figure 11, element 1108 column 5, lines 18-22, column 11, lines 2-18, column 13, lines 8-14, column 16, line 38 to column 17, line 32 and column 26, lines 26-45), however, does not expressly teach having associated therewith an attribute tag which describes a manner of retention in which the corresponding meta-data element is to be retained in a case where the images are combined, the method comprising the steps of: reading the attribute tag of each meta-data element to identify the manner of retention in which the corresponding meta-data element is to be retained; and combining one or more similar meta-data elements associated with the images, and retaining the combined meta-data elements and one or more further meta-data elements, depending on the attribute tags corresponding to those meta-data elements. Conversely, BOLLMAN et al suggest having associated therewith an attribute tag which describes a manner of retention in which the corresponding meta-data element is to be retained in a case where the images are combined (column 3, lines 41-47, column 2, lines 9-11, 15-26, 48-column 3, line 3, 27-30, column 13, line 44-column 14, line 34, column 15, line 22-59 and column

17, lines 23-55), the method comprising the steps of reading the attribute tag of each meta-data element to identify the manner of retention in which the corresponding meta-data element is to be retained (column 2, lines 9-11, 15-26, 48-column 3, line 3, 27-30, column 13, line 44-column 14, line 34, column 15, line 22-59 and column 17, lines 23-55); and combining one or more similar meta-data elements associated with the images (column 2, lines 9-11, 15-26, 48-column 3, line 3, 27-30, column 13, line 44-column 14, line 34, column 15, line 22-59 and column 17, lines 23-55), and retaining the combined meta-data elements and one or more further meta-data elements (column 2, lines 9-11, 15-26, 48-column 3, line 3, 27-30, column 13, line 44-column 14, line 34, column 15, line 22-59 and column 17, lines 23-55), depending on the attribute tags corresponding to those meta-data elements (column 2, lines 9-11, 15-26, 48-column 3, line 3, 27-30, column 13, line 44-column 14, line 34, column 15, line 22-59 and column 17, lines 23-55). Therefore, it would have been obvious to one skilled in the art at the time of the invention to utilize the image processing code generation based on Structured Image (SI) techniques, including code modification activities (abstract, lines 18-22) of BOLLMAN et al to modify the image transforms in a digital display system and geometric transmission of MARGULIS because both inventions share similar technological environments related to addressing object acquisition, storage, edit/preparation and delivery/transmit to output rendering (BOLLMAN et al, column 1, lines 53-56). Therefore, it would have been obvious to modify MARGULIS by BOLLMAN et al.

7. As per claim 17, claims 24 and 28 are apparatus and computer-readable medium claims, respectively, that substantially correspond to claim 17. Examiner interprets MARGULIS to at least suggest a method of augmenting meta-data associated with a digital image (figure 4, element 404/processor, figure 5, element 404, figure 11, element 1108 column 5, lines 18-22, column 11, lines 2-18, column 13, lines 8-14, column 16, line 38 to column 17, line 32 and column 26, lines 26-45), however, does not expressly teach the following claim limitations, notably retention means of meta-data elements and meta-data elements with attribute tags: A method of retaining meta-data associated with a digital image, wherein the image has associated therewith meta-data comprising at least one meta-data element having associated therewith an attribute tag which describes a manner of retention in which the meta-data element is to be retained in a case where the image is transformed, the method comprising the steps of reading the attribute tag of the meta-data element to identify the manner of retention in which the meta-data element is to be retained; and retaining the meta-data element of the image in accordance with the attribute tag corresponding to the meta-data element, wherein the retention of the meta-data element is dependent on the configuration of each meta-data element. Conversely, BOLLMAN et al at least suggests A method of retaining meta-data associated with a digital image (column 2, lines 9-11, 15-26, 48-column 3, line 3, 27-30, column 13, line 44-column 14, line 34, column 15, line 22-59 and column 17, lines 23-55), wherein the image has associated therewith meta-data comprising at least one meta-data element having associated therewith an attribute tag which describes a manner of retention in which the meta-data element is to be retained

in a case where the image is transformed (column 2, lines 9-11, 15-26, 48-column 3, line 3, 27-30, column 13, line 44-column 14, line 34, column 15, line 22-59 and column 17, lines 23-55), the method comprising the steps of reading the attribute tag of the meta-data element to identify the manner of retention in which the meta-data element is to be retained (column 2, lines 9-11, 15-26, 48-column 3, line 3, 27-30, column 13, line 44-column 14, line 34, column 15, line 22-59 and column 17, lines 23-55); and retaining the meta-data element of the image in accordance with the attribute tag corresponding to the meta-data element (column 2, lines 9-11, 15-26, 48-column 3, line 3, 27-30, column 13, line 44-column 14, line 34, column 15, line 22-59 and column 17, lines 23-55), wherein the retention of the meta-data element is dependent on the configuration of each meta-data element (column 2, lines 9-11, 15-26, 48-column 3, line 3, 27-30, column 13, line 44-column 14, line 34, column 15, line 22-59 and column 17, lines 23-55).). Therefore, it would have been obvious to one skilled in the art at the time of the invention to utilize the image processing code generation based on Structured Image (SI) techniques, including code modification activities (abstract, lines 18-22) of BOLLMAN et al to modify the image transforms in a digital display system and geometric transmission of MARGULIS because both inventions share similar technological environments related to addressing object acquisition, storage, edit/preparation and delivery/transmit to output rendering (BOLLMAN et al, column 1, lines 53-56). Therefore, it would have been obvious to modify MARGULIS by BOLLMAN et al.

Allowable Subject Matter

8. Claims, 2-6, 8-10, 12-16 and 18-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY J BLACKMAN whose telephone number is 703-305-0833. The examiner can normally be reached between Monday-Friday 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MATTHEW BELLA can be reached on 703-308-6829. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

ANTHONY J BLACKMAN
Examiner
Art Unit 2676

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MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600